2006/AUG/01/TUE 09:38 AM CITY OF S.R,-NRP

Stipulation and [Proposed] Order

FAX No. 7075433458

P. 003

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BRIEN J. FARRELL, City Attorney (SBN 088318)
   MICHAEL J. CASEY, Assistant City Attorney (SBN 095730)
    City of Santa Rosa
    100 Santa Rosa Avenue, Room 8
   P. O. Box 1678
    Santa Rosa, California 95402
   Telephone: (707) 543-3040 Facsimile: (707) 543-3055
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    Attorneys for Defendant
б
    City of Santa Rosa
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                            UNITED STATES DISTRICT COURT
                          NORTHERN DISTRICT OF CALIFORNIA
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                                                Case No. C 06 3267 MMC
    RAMAN D. PATEL, individually and as
    trustee of the Raman D. And Jashu R. Patel
                                                STIPULATION AND <del>[PROPOSED]</del>
    Family Trust, Raman D. And Jashu R. Patel
                                                ORDER RE CONTINUANCE OF
    Residual Trust and Raman D. And Jashu R.
    Patel Survivor's Trust, and as General Partner.
                                                INITIAL CASE MANAGEMENT
    of the JAS 4 RAY PROPERTIES, L.P.; RITA
                                                CONFERENCE
    PATEL; DAVID STAFFORD, individually
    and as guardian of BRIJESH R. DAII; PRITA
    PATEL; BRIAN BALES.
                Plaintiffs,
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    CITY OF SANTA ROSA, CITY OF SANTA
    ROSA POLICE DEPARTMENT; MAYOR
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    JANE BENDER, sued individually and in her
    official capacity, COUNCILMEMBER JANET
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    CONDRON, sued individually and in her
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    official capacity; DETECTIVE THOMAS
    PEIRSOL, sued individually and in his official
    capacity; DETECTIVE STEVE FRAGA, sucd
    individually and in his official capacity; CITY
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    OF SANTÀ ROSA POLICE OFFICER GREG
    YAEGER; CITY OF SANTA ROSA POLICE
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     OFFICER PAUL HENRY; CITY OF SANTA
    ROSA POLICE OFFICER ERIC
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     GOLDSCHLAG; CITY OF SANTA ROSA
    POLICE OFFICER DAVID P. GORMAN;
     CITY OF SANTA ROSA POLICE OFFICER
    DAVID MARCONI; CITY OF SANTA ROSA
    POLICE OFFICER MICHAEL S. TOSTI;
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     CITY OF SANTA ROSA POLICE OFFICER
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    DAVID LINSCOMB; CITY OF SANTA
     ROSA POLICE OFFICER DAVID JONES;
     CITY OF SANTA ROSA POLICE OFFICER
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2006/AUG/01/TUE D9:38 AM CITY OF S.R.-NRP

FAX No. 707543345B

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MICHAEL CHAD HEISER; SANTA ROSA 1 POLICE OFFICER CHRISTOPHER PARMAN; CITY OF SANTA ROSA POLICE 2 OFFICER MARCUS R. SPRAGUE; CITY OF SANTA ROSA POLICE OFFICER DAVID ALBRITTON; CITY OF SANTA ROSA POLICE OFFICER MATTHEW TOMLIN; CITY OF SANTA ROSA POLICE OFFICER NOAH CADE; CITY OF SANTA ROSA POLICE OFFICER KOHUT sued as DOE 1 individually and in his official capacity; CITY OF SANTA ROSA POLICE OFFICER GARY NEGRI, sued as DOE 2 individually and in his official capacity; CITY OF SANTA ROSA POLICE OFFICER BARR, such as DOE 3 individually and in his official capacity; DOBS 4 THROUGH 10, INCLUSIVE,

Defendants.

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The plaintiffs, by and through their attorney, Frank A. Weiser, and defendant City of Santa Rosa, by and through its attorney, Michael J. Casey, agree and stipulate that the Initial Case Management Conference, currently scheduled for August 18, 2006, may be continued to Friday, September 15, 2006, at 10:30 a.m.. The parties desire a continuance pending resolution of the City's Motion to Stay and pending mediation in the underlying state court action that should take place during the week of August 7, 2006. Counsel for the parties have been attempting to contact each other for the past two weeks to discuss this stipulation, initial disclosures and ADR requirements, but have been unsuccessful due to calendar conflicts and vacation. Counsel were able to discuss this stipulation on the afternoon of Monday, July 31, 2006, and are submitting it accordingly in the interests of judicial economy and efficiency.

IT IS HEREBY STIPULATED between the parties that the Initial Case Management Conference shall be continued to Friday, September 15, 2006, at 10:30 a.m., in Courtroom 7,

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Supulation and [Proposed] Order

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2006/AUG/D1/TUE 09:3B AM CITY OF S.R.-NRP PAX No. 7075433458 19th Floor, of the United States District Court for the Northern District of California. All other deadlines set forth in the court's Order Setting the Initial Case Management Conference shall be 3 continued accordingly. Dated: August 2006 6 Attorney for Plaintiffs 7 8 Dated: August Assistant City Attorney Attorney for defendant City of Santa Rosa 10 11 12 PURSUANT TO STIPULATION, IT IS SO ORDERED, with the exception that the 13 the Case Management Conference is continued to October 13, 2006. 14 Dated: August 3, 2006 15 16 United States District Judge Northern District of California . 17 18 19 20 21 22 23 24 25 26 27

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Stipulation and [Proposed] Order